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## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88645

Yoshiyuki FUKUMOTO, et al.

Appln. No.: 10/539,373

Group Art Unit: 2627

Confirmation No.: 4607

Examiner: Allen J. Heinz

Filed: June 16, 2005

For: MAGNETIC TUNNEL DEVICE AND MAGNETIC MEMORY USING SAME

#### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

#### MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. United States Patent No. 6,544,801, issued April 8, 2003 (previously submitted and considered).
2. United States Patent No. 5,998,016, issued December 7, 1999.
3. United States Patent No. 7,009,266, issued March 7, 2006.
4. United States Patent Application Publication No. 2005/0219769, published October 6, 2005.

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INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/539,373

Q88645

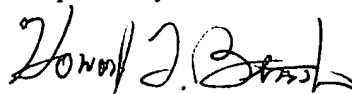
No copies of the above listed documents are being submitted with this Information Disclosure Statement as they are all United States Patents or Publications.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: December 19, 2006

